## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO WESTERN DIVISION

TERRY BROWN,
Plaintiff,

Case No. 1:11-cv-666

Barrett, J. Litkovitz, M.J.

VS

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION, Defendant.

**ORDER** 

This matter is before the Court on plaintiff's "motion to set aside order due to 'fraud by/upon the Court'" (Doc. 39), seeking to vacate the November 1, 2013 Order of the Sixth Circuit Court of Appeals. Because the district court has no jurisdiction to set aside an order of the court of appeals, plaintiff's motion is DENIED.

Date: 12/16/13

Karen L. Litkovitz

United States Magistrate Judge